

**MEMORANDUM ENDORSED**

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**Hon. Sylvia O. Hinds-Radix**  
*Corporation Counsel*

**THE CITY OF NEW YORK  
LAW DEPARTMENT**  
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**Martha Nimmer**  
*Special Assistant Corporation Counsel*  
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May 23, 2022

**VIA ECF**

Hon. Gregory H. Woods  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *D.T. et al. v. N.Y.C. Dep't of Education*, 22-cv-726 (GHW)(JW)

Dear Judge Woods:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiffs seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA") as well as for this action.

I write to respectfully request a) a 30-day extension of the answer deadline, from May 25, 2022 to June 27, 2022 and b) that the June 8, 2022 phone conference be adjourned from June 8, 2022 to July 8, 2022, or a date more convenient for the Court. I have asked for Plaintiff's consent, but have not yet received a response. This is the third request for an extension of the answer deadline and the second request for an adjournment of the initial conference.

The first request for an answer extension was made on February 15, 2022 and granted by Your Honor the following day; the second request for an answer extension was made on April 20, 2022 and granted by Your Honor that same day. The first request to adjourn the conference

was made on April 26, 2022 and granted by Your Honor the same day. The requested extension will permit the parties to continue negotiating settlement, now that Defendant has made a settlement offer to Plaintiff. The parties are hopeful that they will be able to settle this matter without further burden on the Court's time.

Accordingly, Defendant respectfully requests that the deadline to file its answer be extended to June 27, 2022, and that the initial conference be adjourned from June 8, 2022 to July 8, 2022, or a date more convenient for the Court.

Thank you for considering these requests.

Respectfully submitted,

/s/  
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Martha Nimmer  
Special Assistant Corporation Counsel

cc: Michele Kule-Korgood, Esq. (via ECF)

Application granted. The deadline for Defendant to answer or otherwise respond to the complaint is extended to June 27, 2022. The initial pre-trial conference scheduled for June 8, 2022 is adjourned to July 19, 2022 at 3:00 p.m. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules. The deadline for the submission of the parties' joint letter and the proposed case management plan and scheduling order described in the Court's January 28, 2022 order is adjourned to July 12, 2022.

The Clerk of Court is directed to terminate the motion at Dkt. No. 15.

SO ORDERED.

Dated: May 23, 2022  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge